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June 26, 2007

**VIA EFILING AND HAND DELIVERY**

Mr. Charles L.A. Terreni  
Chief Clerk/Administrator  
South Carolina Public Service Commission  
101 Executive Center Dr., Suite 100  
Columbia, SC 29210

Re: dPi Teleconnect, LLC, Complainant/Petitioner v. BellSouth Telecommunications,  
Incorporated, Defendant/Respondent  
**Docket No. 2005-358-C**

Dear Mr. Terreni:

Enclosed for filing please find the original and one (1) copy of the Office of Regulatory Staff's Motion for a Protective Order and Proposed Protective Order in the above referenced matter. Please date stamp the extra copy enclosed and return it to me in the envelope provided.

Please note that the attached documents are exact duplicates, with the exception of the form of the signature, of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

By copy of this letter we are also serving all other parties of record. Do not hesitate to let me know if you have any questions.

Sincerely,

Nanette S. Edwards

Enclosures

cc: All Parties of Record



**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**

**DOCKET NO. 2005-358-C**

IN RE: dPi Teleconnect, LLC, Complainant/	)	
Petitioner v. BellSouth	)	<b>CERTIFICATE OF SERVICE</b>
Telecommunications, Inc. d/b/a AT&T	)	
South Carolina, Defendant/Respondent	)	

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This is to certify that I, Pamela J. McMullan, an employee with the Office of Regulatory Staff, have this date served one (1) copy of the **MOTION FOR PROTECTIVE ORDER AND PROPOSED PROTECTIVE ORDER** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

Patrick W. Turner, Esquire  
BellSouth Telecommunications, Incorporated  
d/b/a AT&T South Carolina d/b/a AT&T Southeast  
P.O. Box 752  
Columbia, SC, 29202

Christopher Malish, Esquire  
dPi Teleconnect, LLC  
Foster Malish Blair & Cowan, LLP  
1403 West Sixth Street  
Austin, TX, 78703

Andrew D. Shore, Esquire  
BellSouth Telecommunications, Incorporated  
675 West Peachtree Street, NE  
Atlanta, GA 30375

John J. Pringle, Jr., Esquire  
Ellis, Lawhorne & Sims, P.A.  
Post Office Box 2285  
Columbia, SC 29202

  
\_\_\_\_\_  
Pamela J. McMullan

June 26, 2007  
Columbia, South Carolina



**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2005-358-C**

IN RE: dPi Teleconnect, LLC, Complainant/	)	
Petitioner v. BellSouth	)	<b>MOTION FOR PROTECTIVE ORDER</b>
Telecommunications, Inc. d/b/a AT&T	)	
South Carolina, Defendant/Respondent	)	

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The Office of Regulatory Staff (ORS) respectfully requests the South Carolina Public Service Commission (Commission) issue a Protective Order allowing the parties to this docket to designate certain materials provided to either the Commission or the ORS as “Confidential Information” and directing that materials so designated not be subject to public disclosure absent further Order from the Commission. This motion is made pursuant to Rule 26 of the South Carolina Rules of Civil Procedure, Commission Regulation 103-854, and other applicable law on the following grounds:

1. On November 9, 2005, dPi Teleconnect, LLC (dPi) filed this action before the Commission alleging BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina (AT&T) wrongfully failed to make three specific retail promotions available to dPi.
2. As part of this litigation, the parties have and may continue to exchange discovery potentially containing confidential or proprietary information. Access to this information could give actual and potential competitors an unfair competitive advantage.
3. The ORS proposes that a party may designate as Confidential Information any materials that it provides to the Commission and/or the ORS for purposes of discovery that the



party believes in good faith would be entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. This may include but is not limited to workpapers, summaries, spreadsheets, models, diagrams, data, customer information, reports, or other documents either provided by a party in response to discovery or to requests for information from the Commission and/or the ORS which contain confidential or proprietary business information of any party. It is appropriate to require the Confidential Information that has been provided to or will be provided to the Commission and/or the ORS in this docket to be subject to a Protective Order because it contains proprietary business information regarding the providing parties' operations.

4. Confidential Information provided to the Commission and/or the ORS which falls within the scope of the Commission's Protective Order will be filed in a sealed envelope with each page marked "Confidential" in red ink, or with other markings that are reasonably calculated to alert custodians of the materials to their confidential or proprietary nature. A public copy of the information that redacts the specific information entitled to confidential and proprietary treatment will also be filed. The proprietary copy shall not be available for public inspection, and the public copy shall be available for public inspection.

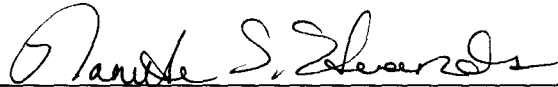
5. The ORS proposes the Commission provide that persons or entities may apply to the Commission for a ruling that materials designated as Confidential Information are not entitled to such status and protection from public disclosure. In that event, the party that designated the materials as Confidential Information shall be given notice of the application and an opportunity to respond. The materials subject to such an application should continue to be protected from public disclosure unless the Commission enters an Order to the contrary.



6. A Proposed Protective Order is attached to this Motion for the Commission's consideration.

WHEREFORE, the ORS respectfully requests the Commission grant this Motion requesting that certain materials be treated as confidential and grant such other and further relief as is just and proper.

June 26, 2007



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